

REMARKS

This Amendment responds to the Office Action mailed December 1, 2008.

Claims 11-19 and 23-32 remain pending in the application and stand rejected. Claim 23 has been amended herein. Reconsideration is respectfully requested for the reasons set forth below.

Allowable Subject Matter

While the Office Action Summary indicates that claims 15 and 26 stand rejected, Applicants note that the Detailed Action fails to recite specific substantive rejections of claims 15 and 26, even though Applicants have twice noted the failure to recite substantive rejections of these claims. (See amendments filed January 21, 2008, and July 16, 2008.) Accordingly, Applicants presume that claims 15 and 26 are allowable and respectfully request early and favorable indication of allowance in the next communication from the Office.

Claims Rejections under 35 U.S.C. §103

Claims 11-14, 16, 17, 19, 23-25, and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over PCT Publication No. WO 01/79111 to Bright in view of U.S. Patent No. 4,537,150 to Bowers, in further view of U.S. Patent No. 6,190,739 to Hoffer et al. Claims 11, 16, 18, 19, and 23-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,719,378 to Jackson, Jr. et al. in view of Bowers '150, and further in view of Hoffer '739. Claim 23 is the only independent claim

of these rejected groups. Applicants respectfully traverse the rejections of claim 23 because Bright '111 and Jackson '378 fail to disclose each and every element recited in claim 23, and the further combinations of Bright '111 or Jackson '378 with Bowers '150 and Hoffer '739 fail to cure these deficiencies.

Specifically, Bright '111 and Jackson '378 each fail to disclose wirelessly receiving information from a machine readable element regarding a hot melt adhesive to be dispensed, a controller utilizing the received information to set a system condition, and operating the hot melt adhesive dispensing system according to the system operating condition to dispense the hot melt adhesive, as set forth in claim 23. As discussed in the Amendment dated July 16, 2008, Bright '111 and Jackson '378 do not teach wirelessly receiving information from a machine readable element (see Office Action at pages 2 and 4), but only disclose manual input of system conditions. Even if Bright '111 and Jackson '378 were properly combinable to include bar codes as alleged by the Examiner, this combination fails to disclose a controller that utilizes information about the hot melt adhesive to set a system operating condition for operating the dispensing system, as discussed in the Amendment filed July 16, 2008. In this regard, Applicants note that claim 23 states that the wirelessly received information is related to the hot melt adhesive, not a system condition, as alleged by in the Detailed Action. Rather, it is the controller that utilizes the received information related to the hot melt adhesive to set the system operating condition.

While Applicants assert that claim 23 is in condition for allowance for at least the reasons discussed above, claim 23 has been amended to clarify that the wirelessly

received information is information "identifying a hot melt adhesive." (Emphasis added.) Support for this amendment can be found in the Application at page 3, line 24 – page 4, line 11. Accordingly, no new matter is added by the amendment to claim 23.

The alleged wirelessly received information in Bright '111 referred to by the Examiner (the height of adhesive in the tank, the color of the adhesive, the temperature or viscosity of the adhesive) (see Office Action at page 2) are parameters that are measured by sensors to indicate the current state of the adhesive. While these parameters may be compared with predetermined values, Bright '111 does not indicate that the predetermined values are set other than by conventional manual methods. Bright '111, therefore, does not disclose utilizing wirelessly received information identifying a hot melt adhesive to set a system condition of an adhesive dispensing system, as set forth in claim 23.

Hoffer '739 fails to cure the deficiencies of the combinations of Bright '111 or Jackson '738 with Bowers '150. Specifically, Hoffer '739 at column 8, lines 56-62 states that the bar code may include "application data pertaining to the lacquer of the color in question, e.g., for the control of the spraying elements." (Emphasis added.) In other words, the information in the bar code of Hoffer '739 is the system operation condition (it is data that tells how to apply the lacquer). Hoffer '739 therefore, only discloses receiving a system operating condition from a bar code and then utilizing that system operating condition to apply lacquer. This is not the same as receiving information identifying the lacquer itself, and having a controller that utilizes the information identifying the lacquer to set a system operating condition for applying the lacquer.

Accordingly, Hoffer '739 fails to disclose receiving information identifying a hot melt adhesive and then using the information to set a system operating condition with a controller, as set forth in claim 23. For at least the reasons discussed above, Applicants respectfully request that the rejections of claim 23 over Bright '111 or Jackson '378 in combination with Bowers '150, and further in view of Hoffer '739 be withdrawn.

Claims 11-14, 16-19, 24, 25, and 27 each depend from independent claim 23 and are therefore in condition for allowance for at least the reasons discussed above with respect to independent claim 23. Accordingly, Applicants respectfully request that the rejections of these claims also be withdrawn.

Claims 28-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Jackson '378, Bowers '150, and Hoffer '739, in further view of U.S. Patent No. 7,012,530 to Droz. Claims 28-32 each depend from independent claim 23 and therefore include each and every feature recited in independent claim 23. Applicants respectfully traverse the rejections of claims 28-32 because the combination of Jackson '378, Bowers '150, and Hoffer '739 fails to disclose each and every element recited in independent claim 23, as discussed above, and because Droz '530 fails to cure these deficiencies. Specifically, Droz '530 is directed to an electronic label and does not disclose utilizing information wirelessly received from a machine readable element to set a system operating condition of a hot melt adhesive dispensing system, and operating the hot melt adhesive dispensing system according to the system operating condition. For at least these reasons, Applicants respectfully request that the rejections of claims 28-32 also be withdrawn.

Conclusion

In view of the amendments to the claims and the foregoing remarks, Applicants believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants do not believe that any fee is due in connection with this submission. However, if any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

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